

THE MILITARY MONITOR,

AND

AMERICAN REGISTER.

"THE PUBLIC GOOD OUR END."

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THE MILITARY MONITOR,

AND

AMERICAN REGISTER,

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AGENTS

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CONGRESS.

[SECRET JOURNAL—Continued.]

HOUSE OF REPRESENTATIVES.

"Sec. And be it further enacted, That from and after the passage of this act, the act entitled "An act concerning the commercial intercourse between the United States and Great Britain and France and their dependencies and for other purposes," passed the 1st day of May, 1810, and also the act entitled "An act supplementary to the act entitled "An act concerning the commercial intercourse between the United States and Great Britain and France & their dependencies & for other purposes," passed the second day of March, 1811. And also, the act entitled "An act laying an embargo on all ships and vessels in the ports and harbors of the United States for a limited time," passed the 4th day of April, 1812, be, and the same hereby are repealed."

A motion was thereupon made by Mr. Nelson, that the bill and the proposed amendment be recommitted to a committee of the whole house.

And the question being taken thereon, It passed in the negative.

The question was then taken on the amendment proposed by Mr. Quincy; And passed in the negative, Yeas 42, Nays 82.

No other amendment being proposed to the bill, the question was taken, that it be engrossed and read a third time;

And passed in the affirmative, Yeas 78, Nays 45.

Ordered, That the said bill be read the third time accordingly and the question stated the same do pass?

Whereupon,

A motion was made by Mr. Randolph

that the farther consideration of the said bill be postponed until the first Monday in October next.

And the question thereon being taken, It was determined in the negative, Yeas 42, Nays 81.

A motion was then made by Mr. Stow, that the farther consideration of the said bill be postponed until to-morrow,

And the question thereon being taken, It was determined in the negative, Yeas 48, Nays 78.

A motion was then made by Mr. Goldsborough, that the house do now adjourn,

And the question thereon being taken, It was determined in the negative, Yeas, 43, Nays 82.

The question was then taken, that the said bill do pass?

AND RESOLVED IN THE AFFIRMATIVE. YEAS.

New Hampshire, Dinsmoor, Hall, and Harper—3.

Massachusetts. Seaver, Carr, Green, Richardson, Turner, and Widge—6.

Rhode Island. None.

Vermont. Fisk, Shaw, & Strong—3.

Connecticut. None.

New York. Pond, Avery, & Sage—3.

New Jersey. Condit and Morgan—2.

Pennsylvania. Seybert Anderson, Brown, Roberts, Findley, Smilie, Lyle, Whitehill, Bard, Davis, Lefever, Hyne-man, Piper, Lacock, Crawford, and Smith—16.

Delaware. None.

Maryland. Kent, Little, M'Kin, Ringold, Brown, and Archer—6.

Virginia. Nelson, Gholson, Goodwyn, Newton, Taliaferro, Dawson, Basset, Smith, Hawes, Roane, Mc-Koy, Pleasants, Clopton, and Burwell—14.

North Carolina. Alston, Blackledge, Mocon, King, Cochran, and Pickens—6.

South-Carolina. Williams, Cheves, Lowndes, Butler, Calhoun, Earle, Winn, and Moore—8.

Georgia. Troup, Bibb, and Hall—3.

Kentucky. Johnson, Desha, New, M'Kee, and Ormsby—5.

Tennessee. Rhea, Grundy, & Sevier—3.

Ohio. Morrow—1.

NAYS.

New-Hampshire. Bartlett, and Sullivan—2.

Massachusetts. Quincy, Reed, Taggart, Ely, Brigham, White, Tallman, and Wheaton—8.

Rhode-Island. Potter & Jackson—2.

Vermont. Chittenden—1.

Connecticut. Sturges, Davenport, Mosely, Champion, Tallmadge, Pitkin, and Law—7.

New-York. Bleecker, Emott, Cooke, Fitch, Gold, Sammons, Stow, Tracy, Van Cortlandt, Mitchell, and Metcalf—11.

New-Jersey. Boyd, Hufty, Maxwell, and Newbold—4.

Pennsylvania. Milnor & Rodman—2.

Delaware. Ridgely—1.

Maryland. Key, Goldsborough, and Stewart—3.

Virginia. Randolph, Lewis, Baker, Breckenridge, and Wilson—5.

North-Carolina. Pearson, M'Bryde, and Stanford—3.

South-Carolina. None.

Georgia. None.

Kentucky. None.

Tennessee. None.

Ohio. None.

Yeas 79

Nays 49

Majority for War 30

Ordered, That the bill be entitled "An Act declaring War between Great Britain and her dependencies, and the U. States and their territories."

Mr. Poindexter moved to have inserted on the journal a declaration in the following words :

"George Poindexter, delegate from the Mississippi territory, not having a constitutional right to record his suffrage on the Journals of the House, on the important question under consideration and being penetrated with a firm conviction of the propriety of the measure, asks the indulgence of the House to express his own, and the sense of his constituents, in support of the honorable and dignified attitude which the government of his country has assumed in vindication of its rights against the lawless violence and unprecedented acts of the government of Great Britain."

The said paper was read and ordered to lie on the table.

Mr. Macon & Mr. Findley were appointed a committee to carry the bill en-

titled "An Act declaring War between Great Britain and her dependencies and the United States and their territories," to the Senate, and to inform them that the House of Representatives have passed the same in confidence, and request their concurrence therein.

And then the House adjourned until to-morrow morning 11 o'clock.

Friday, June 5.

A motion was made by Mr. Macon, that the declaration of George Poindexter, entered on the confidential journal of yesterday, be expunged therefrom.

And the motion was negatived, Yeas 44, Nays 62

Mr. Stanford moved, that the House proceed to consider the said declaration.

The question being taken, it was determined in the negative.

SENATE OF THE UNITED STATES

Monday, June 1, 1811

A confidential message was received from the President of the U. States by Mr. Coles, his secretary—The same as received in the house of representatives.

The message and documents therein referred to, were read ; and

On motion, by Mr. Anderson.

Resolved, That they be referred to a select committee; to consist of seven members, to consider and report thereon by bill or otherwise.

Ordered, That Mr. Anderson, Mr. Smith of Maryland, Mr. Leib, Mr. Campbell of Tennessee, Mr. Howell, Mr. Lloyd and Mr. Taylor, be the committee.

Wednesday, June 3.

On motion by Mr. Bayard,

Ordered, That the confidential message of the President of the U. States of the 1st inst. be printed for the use of the Senate, under an injunction of secrecy.

Friday, June 5.

A confidential message was received from the House of Representatives by Mr. Macon and Mr. Findley, two of their members—Mr. MACON chairman.

"Mr. President—The House of Representatives have passed a bill, entitled "An act declaring war between Great Britain and her dependencies, and the United States and their territories;" in which they ask the concurrence of the senate—and request that the bill be considered confidentially." And having delivered the same act, they withdrew.

On motion, the bill was twice read by unanimous consent ; and on motion, by Mr. Lieb.

Ordered, That it be referred to the

committee appointed on the first instant, on the confidential message of the President of the United States of the same date, to consider and report thereon.

Monday, June 8.

Mr. Anderson, from the committee to whom was referred the bill entitled "An act declaring war between Great Britain and her dependencies, and the U. S. and their territories," reported the bill with amendments.

The committee also reported sundry communications, confidentially made to them from the Treasury and war departments, on the subject.

On motion, by Mr. Lloyd.

Ordered. That the secretary furnish copies of the said communications to such Senators as may require them.

Tuesday, June 9.

On motion, by Mr. Anderson.

The bill entitled "An act declaring war between Great Britain and her dependencies and the United States and their territories," was considered as in committee of the whole.

Mr. Gaillard was requested to take the chair ; and after debate, a motion was made by Mr. Gregg.

That the bill be re-committed for further amendment, to the committee who have under consideration the Message of the President of the U. S. of the first of June.

And after debate, the President resumed the chair, and the Senate adjourned.

Wednesday, June 10.

Mr. Gaillard was requested to take the Chair.

The Senate resumed, as in committee of the whole, the bill entitled "An Act declaring war between Great Britain and her dependencies, and the U. S. and their territories;" and

Mr. Gregg by permission, amended his motion for recommitting the bill to the committee appointed on the confidential message of the President of the United States of the first of June, as follows :

"*Resolved,* That the bill entitled "An act declaring war between Great Britain and her dependencies, and the United States & their territories," be re-committed to the committee to whom was committed the message of the President of the 1st instant, with instructions to modify and amend the same in such manner that the President of the United States shall have power to authorise public armed ships and vessels of the United States to make reprisals upon the public and private ships and vessels, goods and merchandise belonging to the crown of the United Kingdom of Great Britain and Ireland, or to the subjects thereof; and also, to grant letters of marque and reprisal, under suitable regulations to be provided in the bill, to private armed ships and vessels to make like reprisals."

On motion, by *Mr. Smith* of Maryland,

That the motion be amended so as that the bill be re-committed to a new committee:

It was determined in the negative.

And after debate, the President resumed the chair and the senate adjourned.

Thursday, June 11.

Mr. Gaillard was requested to take the chair; and

On motion, by *Mr. Anderson*,

The bill from the House of Representatives, entitled "An act declaring war between Great Britain and her dependencies, and the U. S. and their territories," was resumed and considered as in committee of the whole, together with the motion yesterday submitted by *Mr. Gregg*:

And on the question to agree to the motion it was determined in the affirmative.

YEAS. Messrs. Bayard, Condit, Dana, German, Gilman, Giles, Goodrich, Gregg, Horsey, Howel, Hunter, Lambert, Leib, Lloyd, Reed, Smith of New-York, Worthington—17.

NAYS. Messrs. Anderson, Bibb, Cambell, of Ten. Crawford, Cutts, Franklin, Gaillard, Pope, Smith of Maryland, Tait, Taylor, Turner, Varnum—13.

Whereupon *Mr. Crawford* resumed the chair; and

On motion, by *Mr. Anderson*,

Ordered, That the committee to whom the bill is re-committed have leave to sit immediately.

Friday, June 12.

Mr. Lloyd submitted the following motion for consideration:

"That the President of the U. States be requested to cause to be laid before the Senate, confidentially, or otherwise, as he may deem expedient, all the information in the department of state, not heretofore communicated, having relation to the conduct of Great Britain, and France towards the United States."

Ordered, That it lie for consideration.

Mr. Anderson, from the committee to whom was re-committed the bill entitled "An act declaring war between Great Britain and her dependencies, and the United States and their territories," with instructions to modify and amend the same in such manner that the President shall have the power to authorise the public armed ships and vessels of the United States to make reprisals upon the public ships and vessels, goods and merchandise belonging to the crown of the United Kingdom of Great Britain and Ireland, and to the subjects thereof; and also to grant letters of marque and

reprisal under suitable regulations to be provided in the bill, to private ships and vessels to make reprisals, agreeably to said instructions, reported, as follows:

"After the word 'that,' in the third line of the bill, strike out the residue of the bill, and insert the following amendment—

The President of the U. States shall be & he is hereby authorised from & after the day next ensuing, to cause reprisals to be made upon the public and private armed ships and vessels, goods and merchandise belonging to the crown of the United Kingdom of Great Britain and Ireland or to the subjects thereof, which may be found on the high seas or elsewhere, after the said day of next, excepting such ships, vessels, or property as now are, or may, before the said day of next, be within the ports and harbors, or under the control of the United States; and all ships, vessels or property within the jurisdiction of any power with whom the United States are not engaged in war—and for the purpose aforesaid, to instruct the commanders of the public armed vessels which are or which shall be employed in the service of the United States, to subdue, seize and take any armed or British vessels, belonging to the United Kingdom of Great Britain and Ireland, or to the subjects thereof, which shall be found within the jurisdictional limits of the United States, or elsewhere on the high seas aforesaid. And such captured vessel, with her apparel, guns and appurtenances, and the goods or effects which shall be found on board the same being British property, shall be brought within some port of the United States, and shall be duly proceeded against and condemned as forfeited, and shall accrue and shall be distributed as by law is or shall be provided, respecting the captures which shall be made by the public armed vessels of the U. States.

Sec. 2. And be it further enacted, That the President of the United States shall be and he is hereby authorised to grant to the owners of private armed ships and vessels of the United States, who shall make application therefor, commissions in the form which he shall direct, and under the seal of the United States and such private armed vessels, when duly commissioned as aforesaid, shall have the same license and authority for the subduing, seizing and capturing any armed British vessel belonging to the crown of the United Kingdom of Great Britain and Ireland, or to the subjects thereof, and for the recapturing of the vessels, goods and effects

of the people of the United States, as the public armed vessels of the United States by law have, and shall be in like manner subject to such instructions as shall be ordered by the President of the U. States in conformity with the established law of nations, and the treaties and laws of the United States, for the regulation of their conduct; and the commissions which shall be granted as aforesaid, shall be revoked at the pleasure of the President of the United States.

Sec. 3. And be it further enacted That every person, intending to set forth and employ an armed vessel, and applying for the commission aforesaid, shall produce in writing the name and a suitable description of the tonnage and force of the vessel, and the name and place of residence of each owner concerned therein; the number of the crew and the name of the commander, and the two officers next in rank appointed for such vessel; which writing shall be signed by the person or persons making such application, and filed with the Secretary of State, or shall be delivered to any other officer or person who shall be employed to deliver out such commissions, to be by him transmitted to the Secretary of State.

Sec. 4. And be it further enacted, That before any commission as aforesaid shall be issued, the owner or owners of the ship or vessel for which the same shall be requested, and the commander thereof for the time being, shall give bond to the United States, with at least two responsible sureties, not interested in such vessel, in the penal sum of thousand dollars; or if such vessel be provided with more than one hundred and fifty men, then in the penal sum of thousand dollars, with condition that the owners and officer and crews who shall be employed on board of such commissioned vessels, shall and will observe the treaties and laws of the U. States, and the instructions which shall be given them as aforesaid for the regulation of their conduct, and will satisfy all damages and injuries which shall be done or committed contrary to the tenor thereof by such vessel during her commission, and to deliver up the same when revoked by the President of the United States.

Sec. 5. And be it further enacted, That all public and private ships and vessels, goods and merchandise, belonging to the crown of the United Kingdom of Great Britain and Ireland, or to the subjects thereof, together with the apparel, guns, & appurtenances which shall be found on board the same, being British property, and which shall be captu-

red by any private armed vessel or vessels of the United States duly commissioned as aforesaid, shall be forfeited and shall accrue to the owners thereof, and the officers and crew by whom such capture shall be made, and on due condemnation had, shall be distributed according to any arrangement which shall be between them, or in the failure of such agreement then by the discretion of the court before whom such condemnation shall be.

Sec. 6. *And be it further enacted,* That all vessels, goods and effects, the property of any citizen of the U. States, or person resident therein, which shall be re-captured, as aforesaid, shall be restored to the lawful owners upon payment by them respectively of a just and reasonable salvage, to be determined by the mutual agreement of the parties concerned, or by the decree of any court of the United States having maritime jurisdiction, according to the nature of each case—*Provided,* That such allowance shall not be less than one eighth, nor exceeding one half of the full value of such re-capture, without any deduction; and such salvage shall be distributed to and among the owners, officers and crews of the private armed vessel or vessels entitled thereto, according to any agreement which shall be between them, or in case of no agreement, then by the decree of the court who shall determine upon such salvage.

Sec. 7. *And be it further enacted,* That before breaking any bulk of any vessel which shall be captured as aforesaid, or other disposal or conversion thereof, or of any articles which shall be found on the same, such capture shall be brought into some port within the U. States, and shall be libelled and proceeded against before the district court of the same district; and if, after a due course of proceeding, such capture shall be decreed to be forfeited in the district court or in the circuit court of the said district in the case of appeal duly allowed, the same shall be delivered to the owners and captors concerned therein, or shall be publicly sold by the marshal of the same court, as shall be finally decreed and ordered by the court, And the same court who shall have final jurisdiction of any libel or complaint of any capture as aforesaid, shall and may decree restitution in whole or in part, when the capture and restraint shall have been made without any just cause aforesaid; and if made without probable cause, or otherwise unreasonably, may order and decree damages and costs to the party injured, and for which the owner, officers and crews of the private armed vessel or vessels by which such unjust cap-

ture shall have been made, and also such vessel or vessels, shall be answerable & liable.

Sec. 8. *And be it further enacted,* That all British subjects and others which shall be found acting on board of any British vessel which shall be captured or on board of any vessel of the U. States which shall be captured, as aforesaid, shall be reported, to the collector of the port in which they shall first arrive, and shall be delivered to the custody of the marshal or some civil and military officer of the United States, or of any state in or near such port, who shall receive and take into custody the said subjects or persons for their safe-keeping and support, at the expense of the U. States.

"Amend the title,

"After the word "act" strike out the rest of the title, and insert, "authorising reprisals against the crown of the United Kingdom of G. Britain and Ireland, and the subjects thereof:" and the report was read.

Mr. Gaillard was requested to take the chair, and the bill and amendments were considered as in committee of the whole; and

On motion of Mr. Pope,

To amend the report, by inserting after the word "thereof," in the tenth line of the first section, the words "and also upon the public and private ships and vessels, goods and merchandise, belonging to the crown of France or to the subjects thereof,"

It was determined in the negative, Yeas 15, Nays 17.

On the question to strike out, as reported by the committee, for the purpose of inserting the amendment, the senate were divided, and the question was lost, and the original bill was resumed.

On motion to agree to the first report of the select committee, and strike out of the original bill, line 9, the words, "and of all persons inhabiting within the territories or possessions," it was determined in the affirmative:—Yeas, 21, Nays, 11.

On motion it was agreed to insert the word "and," in the 9th line, after the word "Britain"

Saturday, June 13.

The senate resumed the consideration of the motion submitted yesterday by Mr. Loyd; and on the question to agree thereto, it was determined in the negative:—Yeas 14, Nays 17.

Mr. Gaillard was requested to take the chair; and on motion by Mr. Anderson, the consideration of the bill entitled "An act declaring war between G. Britain and her dependencies, and the United States and their territories,"

was resumed as in committee of the whole, and having agreed to sundry amendments, the president resumed the chair; and Mr. Gaillard reported the bill with amendments, which were considered in senate and agreed to, as follows:

Third line—After the word "between," strike out to the end of the line, and insert "the United Kingdom of G. Britain and Ireland & the dependencies thereof."

Line 4—After the word "States," where it first occurs, insert "of America."

Line 9—After the word "Britain," strike out to the end of the bill, and insert, "the said United Kingdom of G. Britain and Ireland, and the subjects thereof."

And on motion by Mr. German, to postpone the further consideration of the bill to the first Monday in November next; after debate, the Senate adjourned.

Monday, June 15.

The senate resumed the consideration of the bill entitled "An Act declaring war between Great Britain and her dependencies, and the United States and their territories," together with the motion made by Mr. German, to postpone the further consideration thereof until the first Monday in November next; and on the question to agree to the motion, it was determined in the negative; Yeas 10, Nays 22.

On Motion by Mr. Lieb, to amend the bill as follows—

[Mr. Lieb's motion is the same as that reported on Friday last by Mr. Anderson, except that, in the former case, the amendment was to take effect from a future day which was left blank in the reported amendment; the present motion was intended to take effect from the passage of the bill. Mr. Lieb's motion contained the following additional sections:]

Sec. 9. *And be it further enacted,* That from and after the day of next, the President of the United States be and he is hereby authorised to employ the naval force of the United States to make reprisals upon the public and private armed vessels, goods and merchandize, belonging to the emperor of France and king of Italy, or his subjects, which may be found on the high seas and elsewhere, and to issue letters of marque and reprisals to the private armed ships or vessels of the United States, against the vessels, subjects and property of the said emperor of France, and king of Italy, under the provisions and limitations contained in this act in respect of the United Kingdom of Great Britain and Ireland; if on or before the day of the said emper-

ror of France and king of Italy shall not give to the president of the United States satisfactory and unequivocal evidence of the repeal of the Berlin and Milan decrees, so far as they relate to the neutral commerce of the United States.

On motion, by Mr. Anderson, to strike out the ninth section of the proposed amendment, it was determined in the negative:—Yeas 14, Nays 18.

On the question to strike out the original bill, after the word "that," as proposed by Mr. Leib, it was determined in the negative:—Yeas 15, Nays 17.

On motion, by Mr. Lloyd, to amend the original bill, by inserting after the word "that," in the third line, the words "from and after the day of next," it was determined in the negative:—Yeas 12, Nays 19.

On the question, "shall the bill pass to a third reading as amended?" it was determined in the affirmative: Yeas 19, Nays 13.

The senate adjourned to 11 o'clock to-morrow morning.

Tuesday, June 16.

The amendments to the bill from the House of Representatives, entitled "An Act declaring war between G. Britain and her dependencies, and the United States and their territories," were reported by the committee, correctly engrossed, and on motion, by Mr. Bayard, to postpone the further consideration of the bill to the 31st day of October next; it was determined in the negative:—Yeas 11, Nays 22.

On motion, by Mr. Bayard, to postpone the further consideration to the 3d day of July next, it was determined in the negative:—Yeas 9, Nays 23.

On motion, by Mr. Bayard, to postpone the further consideration of the bill to Monday next, it was determined in the negative:—Yeas 15, Nays 17.

On motion, that the senate adjourn, it was determined in the affirmative:—Yeas 18, Nays 14.

So the senate adjourned to 11 o'clock to-morrow morning.

Wednesday, June 17.

The third reading of the bill from the House of Representatives, entitled "An Act declaring war between G. Britain and her dependencies and the United States and their territories," was resumed, whereupon the following motion was submitted by Mr. Giles:

Resolved, That the bill, entitled "An Act declaring war between G. Britain and her dependencies, and the United States and their territories," be recommended to the committee to whom was committed the message of the president

of the United States of the first instant with instructions to modify and amend the bill in such manner as to authorise the president of the United States to instruct the commanders of all ships of war belonging to the United States, to recapture any vessel thereof, bound to any port or place prohibited to such vessels by the British orders in council, dated the day of which may have been previously captured by any British armed vessel which shall resist such recapture, or be found hovering on the coast of the the United States for the purpose of interrupting their lawful commerce, and to bring the same into any port of the U. S. for adjudication and condemnation.

And further to instruct the commanders of all ships of war, belonging to the United States, to re-capture any vessel of the U. States navigating the ocean conformably to the laws of nations, which may have been previously captured by any French armed vessel, and to capture any such French armed capturing vessel, and in like manner to bring the same for adjudication and condemnation.

And to authorise the president of the United States to cause letters of marque and general reprisal upon the public and private vessels, goods and merchandize belonging to the crown of the United kingdom of G. Britain & Ireland, or to the subjects thereof, and also upon the public ships & vessels, goods & merchandize, belonging to the crown of France or to the subjects thereof." And on the question to agree to this motion, it was determined in the negative:—Yeas 14, Nays 18.

On motion, by Mr. Horney, that the senate adjourn, it was determined in the negative:—Yeas 14, Nays 18.

On the question, "shall this bill pass as amended?" it was determined in the affirmative:—Yeas 19, Nays 13.

So it was resolved, that the bill do pass with amendments.

On motion the title was amended to read as follows:

"An act declaring war between the United Kingdom of G. Britain & Ireland & the dependencies thereof, and the United States of America and their territories."

On motion, by Mr. Anderson, *Resolved*, That a committee be appointed to consist of two members, to carry the said bill to the House of Representatives, and ask their concurrence in the amendments.

Ordered, that Mr. Anderson and Mr. Varnum be the committee.

Thursday, June 18.

A message from the House of Repre-

sentatives, by Mr. Macon & Mr. Findley, two of their members; Mr. Macon, chairman.

Mr. President—The House of Representatives concur in the amendments of the senate to the bill entitled "An act declaring war between the United Kingdom of Great Britain and Ireland and the dependencies thereof, and the United States of America and their territories;" and they withdrew.

Mr. Varnum, from the committee, reported that they had examined and found duly enrolled the bill last mentioned.

A message from the House of Representatives, by Messrs. Crawford and Turner, the committee on the part of the House of Representatives for enrolled bills; Mr. Crawford, chairman:

Mr. President—The Speaker of the House of Representatives having signed an enrolled bill, we are directed to bring it to the senate for the signature of their president; and they withdrew.

The president signed the enrolled bill last reported to have been examined, and it was delivered to the committee to be laid before the president, of the United States.

Mr. Varnum, from the committee, reported that they this day laid before the president of the United States the enrolled bill last mentioned, and that the president of the United States informed the committee that he had this day approved and signed the same.

On motion, by Mr. Varnum, *Resolved*, That the injunction of secrecy in relation to the confidential message of the president of the United States, of the 1st inst. and also in relation to the private and confidential proceedings of the senate since that date be removed.

AN ACT

Declaring War between the United Kingdom of Great Britain and Ireland and the dependencies thereof, and the United States of America and their Territories.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That WAR be, and the same is hereby declared to exist between the United Kingdom of Great Britain and Ireland and the dependencies thereof, and the United States of America and their territories: and that the President of the United States be, and he is hereby authorised to use the whole land and naval force of the United States to carry the same into effect, and to issue to private armed vessels of the United States commissions or letters of marque and

general reprisal, in such form as he shall think proper, and under the seal of the United States, against the vessels, goods, and effects of the government of the same United Kingdom of Great Britain and Ireland, and the subjects thereof.

June 18, 1812.

APPROVED, JAMES MADISON

The declaration of War was announced on the day after its passage by Proclamation of which the following is a copy :

BY THE PRESIDENT
OF THE
UNITED STATES OF AMERICA.
A PROCLAMATION.

Whereas the Congress of the United States, by virtue of the constituted authority vested in them, have decided by their act, bearing date the eighteenth day of the present month, that War exists between the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and the United States of America and their territories: Now, therefore, I, JAMES MADISON, President of the United States of America, do hereby proclaim the same to all whom it may concern: and I do especially enjoin on all persons holding offices, civil or military, under the authority of the United States, that they be vigilant and zealous in discharging the duties respectively incident thereto: And I do moreover exhort all the good people of the United States, as they love their country; as they value the precious heritage derived from the virtue and valor of their fathers; as they feel the wrongs which have forced on them the last resort of injured nations; and as they consult the best means, under the blessings of Divine Providence, of abridging its calamities; that they exert themselves in preserving order, in promoting concord, in maintaining the authority and the efficacy of the laws, and in supporting and invigorating all the measures which may be adopted by the constituted authorities, for obtaining a speedy, a just, and an honorable peace.

In testimony whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed to these presents.

(SEAL.)

Done at the City of Washington, the nineteenth day of June, one thousand eight hundred and twelve, and of the Independence of the United States the thirty-sixth.

(Signed)

JAMES MADISON.

By the President.

(Signed)

JAMES MONROE.

Secretary of state.

REPORT.

The committee, to whom was referred so much of the president's message as relates to Indian affairs,

REPORT:

That the attention of the committee has been directed to the following inquiries:

1st. Whether any, and what agency the subjects of the British government may have had in exciting the Indians on the western frontier, to hostilities against the United States.

2d. The evidence of such hostility, on the part of the Indian tribes, prior to the late campaign on the Wabash.

3d. The orders by which the campaign was authorised and carried on.

The committee have obtained all the evidence within their power relative to these several inquiries. The documents accompanying the president's message to congress of the 11th inst. contain all and some additional evidence to what had been obtained by the committee, in relation to the first inquiry. Those documents afford evidence as conclusive as the nature of the case can well be supposed to admit of, that the supply of Indian goods furnished at Fort Malden, and distributed during the last year by the British agents in Upper Canada, to the Indian tribes, were more abundant than usual; & it is difficult to account for this extraordinary liberality, on any other ground than that of an intention to attach the Indians to the British cause in the event of a war with the United States.

That the Indian tribes should put to hazard the large annuities which they have been so long in the habit of receiving from the United States; that they should relinquish supplies so necessary to their comfort, if not to their existence, by a hostile conduct, in the absence of all other evidence, is not the least convincing proof that some agency has been employed to stimulate the savages to hostilities; and having pursued a course of conduct which must lead to a forfeiture of those advantages, renders it at least probable that they have assurance of receiving an equivalent elsewhere.

Additional presents, consisting of arms and ammunition, given at a time when there is evidence that the British were apprized of the hostile disposition of the Indians, accompanied with the speeches addressed to them, exciting disaffection, are of too decisive a character to leave doubt on the subject.

With regard to the second subject of inquiry, the committee are of opinion that the evidence accompanying this report, together with the official communication made to the executive by the British government, affords such evidence of the

hostile views & intentions of the Indians, as to render it the duty of the president of the United States to take the necessary means of protecting the frontiers from the attack with which they were threatened. Accordingly, in pursuance of the provisions of the act of Congress entitled "An act for calling forth the militia to execute the laws of the Union suppress insurrection, and repel invasions," the executive ordered the 4th regiment of infantry, with one company of riflemen, under the command of Col. Boyd, from Pittsburg to Vincennes, subject to the farther orders of Governor Harrison, who was authorised, with this force and such additional number of companies from the militia as should be deemed necessary, to establish a new post on the Wabash, and to march against and disperse the armed combination under the Prophet.

These considerations, together with the documents, are respectfully submitted.

GENERAL ORDERS.

Head-Quarters, New-York, }
July, 6, 1812. }

The General announces to the troops in the city and harbor of New-York, the death of brigadier general Gansevoort, at Albany, on the 2d instant. In testimony of respect to the defender of Fort Schuyler in 1777, of an officer of intelligence, bravery, and distinguished military merit during the revolutionary war, the colors will be hoisted half staff high for the day; and the officers wear the usual badge of mourning for one month.

By order.

R. H. MACPHERSON, Aid-de-camp.
July 7.

To captain——commander of the private armed——called the——

INSTRUCTIONS

FOR THE PRIVATE ARMED VESSELS OF THE UNITED STATES.

1 The tenor of your commission under the act of congress, entitled "an act concerning letters of marque, prizes, and prize goods, a copy of which is hereto annexed, will be kept constantly in your view. The high seas referred to in our commission, you will understand, generally, to extend to low water mark; but with the exception of the space within one league, or three miles, from the shore of countries at peace both with Great Britain and with the United States. You may nevertheless execute your commission within that distance of the shore of a nation at war with Great Britain, and even on the waters within the jurisdiction of such nation, if permitted so to do.

2. You are to pay the strictest regard to the rights of neutral powers, and the

usages of civilized nations; and in all your proceeding towards neutral vessels, you are to give them as little molestation or interruption as will consist with the right of ascertaining their neutral character, and of detaining and bringing them in for regular adjudication, in the proper case. You are particularly to avoid even the appearance of using force or seduction, with a view to deprive such vessels of their crews, or of their passengers, other than persons in the military service of the enemy.

3. Towards enemy's vessels & their crews, you are to proceed in exercising the rights of war, with all the justice and humanity which characterize the nation of which you are members.

4. The master and one or more of the principal persons belonging to captured vessels, are to be sent, as soon after the capture as may be, to the judge or judges of the proper court in the United States, to be examined upon oath, touching the interest or property of the captured vessels and her lading; and at the same time, are to be delivered to the judge or judges, all passes, charter parties, bills of lading invoices, letters and other documents and writings found on board; the said papers to be proved by the affidavit of the commander of the capturing vessels, or some other person present at the capture, to be produced as they were received, without fraud, addition, subduction or embezzlement.

By command of the president of the U. States.

JAMES MONROE, *Secretary of state.*

BY WILLIAM HULL,

Brigadier General and Commander of the North Western army of the U. States:

A PROCLAMATION.

INHABITANTS OF CANADA!

After thirty years of peace and prosperity, the United States have been driven to arms. The injuries and aggressions, the insults and indignities of G. Britain have once more left them no alternative but manly resistance or unconditional submission. The army under my command has invaded your country; the standard of the Union now waves over the territory of Canada. To the peaceable unoffending inhabitant, it brings neither danger nor difficulty.—I come to find enemies, not to make them. I come to protect, not to injure you.

Separated by an immense ocean and an extensive wilderness from G. Britain, you have no participation in her councils, no interest in her conduct. You have felt her tyranny, you have seen her injustice. But I do not ask you to

avenge the one, or to redress the other.

The United States are sufficiently powerful to afford every security, consistent with their rights and your expectation. I tender you the invaluable blessing of civil, political and religious liberty, and their necessary result, individual and general prosperity; that liberty which gave decision to our councils, and energy to our conduct in a struggle for independence, which conducted us safely and triumphantly thro' the stormy period of the revolution—the liberty which has raised us to an elevated rank among the nations of the world; and which afforded us a greater measure of peace and security, of wealth and improvement, than ever fell to the lot of any people. In the name of my country, & the authority of government, I promise you protection to your persons, property and rights; remain at your homes; pursue your peaceful and customary avocations; raise not your hands against your brethren.—Many of your fathers fought for the freedom and independence we now enjoy. Being children therefore of the same family with us, & heirs to the same heritage, the arrival of an army of friends must be hailed by you with a cordial welcome. You will be emancipated from tyranny and oppression, and restored to the dignified station of freedom.—Had I any doubt of eventual success, I might ask your assistance, but I do not. I come prepared for every contingency—I have a force which will break down all opposition, and that force but the van guard of a much greater—If, contrary to your own interest and the just expectations of my country, you should take part in the approaching contest, you will be considered and treated as enemies, and the horrors and calamities of war will stalk before you. If the barbarous and savage policy of Great Britain be pursued, and the savages are let loose to murder our citizens and butcher our women and children, this war will be a war of extermination.—The first stroke of the tomahawk—the first attempt with the scalping knife, will be the signal of one indiscriminate scene of desolation. No white man found fighting by the side of an Indian will be taken prisoner—instant death will be his lot. If the dictates of reason, duty, justice and humanity cannot prevent the employment of a force which respects no rights, and knows no wrong, it will be prevented by a severe and relentless system of retaliation. I doubt not your courage and firmness—I will not doubt your attachment to liberty. If you tender your services voluntarily, they will be accepted readily. The U. States offer you peace, liberty and security.—

Your choice lies between these and war, slavery and destruction. Choose then; but choose wisely; and may he who knows the justice of our cause, and who holds in his hand the fate of nations, guide you to a result the most compatible with your rights and interests, your peace and happiness.

By the General,

A. P. HULL.

Captain of the 13th U. States regiment of Infantry and Aid-de-camp. Headquarters, Sandwich, July 12, 1812.

WILLIAM HULL.

GENERAL ORDERS.

HEAD-QUARTERS, Boston,

July 12, 1812.

Having been authorised by the President of the U. States to accept the offer of any Company or Companies of Volunteers, either of Infantry, Cavalry or Artillery, who may organize themselves for the service of the U. States, in conformity with the act of Congress of February 6th, 1813, and the supplementary act of July 6th inst.

I hereby give notice, to all such Americans as possess a sufficient degree of patriotism and military ardor, at this interesting crisis, to volunteer their services in the defence of their country—that as soon as a sufficient number of able bodied citizens shall associate and subscribe their names to an enrolment in conformity to the beforementioned acts, with suitable characters as officers, and shall transmit to me, at Albany, State of New-York, a copy of their enlistment, with the names of the commissioned and non-commissioned officers, musicians, and privates, their services will be accepted; and the officers will be commissioned by the President of the U. States, and the non-commissioned officers and privates, when called into service, will be armed and equipped at the expense of the U. States; and will retain their arms when discharged from service.—A company must consist of one Captain, one first Lieutenant, one second Lieutenant one Ensign, four Sergeants, four Corporals, two Musicians, and not less than sixty-six privates. When a sufficient number of such companies are formed, they will be organized into Battalions, Regiments, Brigades and Divisions.

H. DEARBORN.

Major-General U. S. Army.

GENERAL ORDERS.

Head-Quarters, New-York, July, 29, 1812.

Major Bleecker having obtained leave of absence from the command of the detachment of New-York State Artillery, in requisition under the law of

Congress of the 10th of April last, Major Swartwout will take command of the said detachment, and carry into execution the orders of the 20th of the current month, as well with respect to the West and North batteries in the city of New-York, as to the command of Fort Richmond and the Park of Artillery on Staten-Island.

By order,

CHAS. W. HUNTER.

Brigade-Major

GENERAL ORDERS.

Head-Quarters, Trenton, Aug. 8, 1812.

Brigadier General Armstrong, of the United States army, commanding N. York and its dependencies, having required of the governor of the state of New-Jersey, a detachment of five hundred men, officers and musicians included, to rendezvous at Fort Richmond on Staten Island on the 20th of the current month; Gov. Bloomfield, therefore, orders, that maj. general Ludlow detach five hundred men, officers and musicians included, from the five thousand men, by general orders of the 25th of April last, detached from the militia, as the quota of the State of New-Jersey, of one hundred thousand militia of the U. States, directed to be detached by an act of Congress, passed the 10th of April last, and conformably to the requisitions of the president of the U. States of the 15th of April, and 26th of May last.

The commanding officer of the said detachment of five hundred men will receive instructions from major general Ludlow, to repair on the 20th inst with said detachment to Fort Richmond on Staten-Island, and on his arrival to report himself to brig. gen. Armstrong.

By order of the commander in chief.

JAMES J. WILSON, Adjutant-general.

Head-Quarters, New-York, 3d Aug. 1812.

General Bloomfield being obliged to attend to his official duties of governor of the state of New-Jersey, is relieved in the command of the defence of the city and harbor of New-York, by brig. gen. Armstrong.

It is with sincere pleasure, that general Bloomfield presents his most cordial thanks to Col. Burbeck, and all the officers whom he has had the honor to command at this post for the advantage derived from their information and assistance, in his exertions to discharge his duty, amidst the variety of difficulties incident to the organization and removal of troops, recruited in the additional army, and, in his efforts to accommodate and harmonize the militia, called into the service of the United States, pursuant to a law of Congress, the requi-

sition of the President, and the orders of the Commander in Chief of the state of New-York.

By order,

R. H. MACPHERSON, Aid-de-Camp.

DIVISION ORDERS.

New-York, July 6, 1812.

Major-general Coles has received the following general orders:—

GENERAL ORDERS.

Head-Quarters, Albany, July, 27, 1812.

The commander in chief is required by the president of the United States to call into service such part of 13,500 men detached from the first division of infantry as may be required by general Bloomfield for the defence of the southern frontier of this state. Major-general Coles is therefore hereby directed to give notice thereof to the commandants of infantry composed of the infantry of the city of New-York, and in Westchester, Kings, and Richmond counties, and to order the commandants of those brigades to call out and send their respective detachments into service upon such requisitions of general Bloomfield, without waiting for further division orders for that purpose. General Coles will also, in concert with general Bloomfield and the said commandants, in anticipation, of this requisition, fix beforehand upon the signals for assembling the detachments upon the places at which they shall respectively rendezvous, and upon the route they shall respectively pursue to their destined post, so as to create as little confusion and interference as possible at the moment of commencing their service, and will also notify the general and field officers thereof. Major General Coles will also arrange with general Bloomfield and the state commissary, the places and manner of supplying with arms and ammunition that portion of the detachment which may be ordered into field-service and be destitute of arms.

By order of the commander in chief,
(Signed)

WM. PAULDING, jun. adj. gen.

Of which you will accordingly take notice; and the officers assigned and men drafted from your brigade having been detached for the service of the U. States, you will therefore direct them to take the field without waiting for division orders.

By order of major general Coles

(Signed)

BENJ. U. COLES, Aid-de Camp.

Restoration of the Chesapeake seamen.

The American tars who were forcibly wrested from the Chesapeake by the British frigate Leopard, have been restored to that vessel in the harbor of Boston.

They were conducted on board the Chesapeake by lieut. Simpson, the British officer, and received at the gangway by lieut. Wilkinson, of the Chesapeake, with the following pertinent address:

SIR—I am commanded by commodore Bainbridge to receive these three American seamen, on the very deck from which they were wantonly taken in time of peace, by a vessel of your nation of superior force."

Midshipman Saunders conducted the men to commodore Bainbridge, upon the quarter deck. The commodore received them with these appropriate and truly American observations:

"MY LADS—I am glad to see you. From this ship you were taken by British outrage; for your return to it, you owe gratitude to the government of your country. Your country now offers to you an opportunity to revenge your wrongs; and I cannot doubt but that you will be desirous of doing so on board of this very ship. I trust the flag that flies on board of her, shall gloriously defend you in future."

Three cheers were given by a numerous company of citizens and seamen, assembled to witness the interesting transaction.

MARCHING ORDERS.

FRANKFORT, AUG. 6, 1812.

SIR—Yourself, with the rifle regiment under the command of lieutenant-colonel commandant John Allen—the first regiment of infantry under the command of lieutenant-colonel commandant John M. Scott—and the fifth regiment under the command of lieutenant-colonel commandant William Lewis—all of the detachment from the militia of Kentucky, under the act of Congress of the 10th of April last, will march to join General Hull in Canada—for which purpose, you, with the said regiments, will rendezvous at Georgetown, in Kentucky on the 15th instant when, and where you will receive orders.

The men will furnish themselves with provisions and the necessary conveyance to the rendezvous at Georgetown. You will then be furnished with provisions and the necessary means of conveyance for the residue of the march. Arrangement will be made for the arms, ammunition, and equipage, to be furnished at Newport, if not sooner.

(To be Continued.)

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